

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	<b>PRELIMINARY ORDER OF</b>
- v. -	:	<b>FORFEITURE AS TO</b>
	:	<b><u>SUBSTITUTE ASSETS</u></b>
ADAM ROGAS,	:	
	:	20 Cr. 539 (JPC)
Defendant.	:	
	:	
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WHEREAS, on or about October 13, 2020, ADAM ROGAS (the “Defendant”), was charged in a three-count Indictment, 20 Cr. 539 (JPC) (the “Indictment”), with, *inter alia*, securities fraud (Count One);

WHEREAS, on or about March 16, 2022, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Counts One of the Indictment, and agreed to forfeit to the United States a sum of money equal to \$17,542,459 in United States currency;

WHEREAS, on or about November 9, 2022, the Court entered a Preliminary Order of Forfeiture (the “Order of Forfeiture”), imposing a money judgment against the defendant in the amount of \$17,542,459 (the “Money Judgment”) representing proceeds traceable to Count One of the Indictment (D.E. 79);

WHEREAS, to date, the entire Money Judgment against the Defendant remains unpaid;

WHEREAS, as a result of acts and omissions of the Defendant, the United States has not been able to locate, obtain or collect assets traceable to the proceeds of the Defendant's offenses, despite the exercise of due diligence in investigating the assets of the Defendant; and

WHEREAS, the Government has identified the following specific assets in which the Defendant has an ownership interest:

- a. Any and all funds on deposit in an account ending in -8288 at Bank of America held in the name of Rogassi Enterprises, LLC;
- b. Any and all funds on deposit in an account ending in -7349 at Bank of America held in the name of Adam Rogas and Barbara Englund;
- c. Any and all funds on deposit in an account ending in -4315 at Bank of America held in the name of Rogassi Enterprises, LLC;
- d. Any and all funds on deposit in an account ending in -6069 at Bank of America account held in the name of Catch 5 Media;
- e. Any and all funds on deposit in an account ending in -1887 in Bank of America account held in the name of Adam Rogas and Barbara Englund;
- f. Any and all funds on deposit in an account ending in -9397 at Silicon Valley Bank account held in the name of Adam Rogas;
- g. Any and all funds on deposit in an account ending in -3309 held in Silicon Valley Bank account held in the name of Adam Rogas;
- h. Any and all funds on deposit in an account ending in -4898 at National Finances Service, LLC held in the name of Adam Rogas;
- i. Any and all funds on deposit an account ending in -6036 at National Finances Service, LLC held in the name of Adam Rogas and Barbara Elizabeth Englund;

- j. Any and all funds on deposit in an account ending in -1573 at National Finances Service, LLC held in the name of Adam Rogas and Barbara Elizabeth Englund;
- k. Any and all funds on deposit in an account ending in -1574 at National Finances Service, LLC held in the name of Adam Rogas and Barbara Elizabeth Englund;
- l. Any and all funds on deposit in an account ending in -8046 at National Finances Service, LLC held in the name of Adam Rogas and Barbara Elizabeth Englund;
- m. Any and all funds on deposit in an account ending -6466 at Wells Fargo held in the name of Adam Rogas;
- n. Any and all funds on deposit in an account ending in -4356 at PayPal held in the name of Adam Rogas;
- o. Any and all funds on deposit in an account ending in -8800 at PayPal held in the name of Adam Rogas
- p. Any and all funds on deposit in an account ending in -3812 held in JP Morgan Chase in the name of Blue Spot;
- q. Any and all funds on deposit in account ending in 3932 at US Bank held in the name of 2020 MVP LLC;
- r. Any and all funds on deposit in an attorney escrow account held as a retainer deposit to secure provision of legal services for the benefit of Adam Rogas with Pillsbury Winthrop Shaw Pittman LLP;
- s. The real property at 9813 Moon Valley Place, Las Vegas, NV with the following legal description: Lot Number: 64 Block: 5 District: LV City, Municipality, Township: LAS VEGAS CITY Subdivision Name: HALF ACRES-PH 2 SUMMERLIN VILLAGE 7-TRAI Sec/Twn/Rng/Mer: SEC 19 TWN 20S RNG 60E Brief Description: HALF ACRES-PH 2 SUMMERLIN VILLAGE 7-TRAILS 2ND AMD

PLAT BOOK 118 PAGE 93 LOT 64 BLOCK 5 Recorder's Map Ref:  
PB B0118 P0093;

t. Rogassi Enterprises, LLC;

u. Catch 5, LLC; and

v. Blue Spot, LLC;

(a. through v., collectively, the “Substitute Assets”); and

WHEREAS, the Government is seeking the forfeiture of all of the Defendant’s right, title and interest in the Substitute Assets.

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant’s right, title and interest in the Substitute Assets is hereby forfeited to the United States of America, for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of this Preliminary Order of Forfeiture of Substitute Assets, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Substitute Assets and to keep it in its secure, custody and control.

3. Upon entry of a Final Order of Forfeiture, the Substitute Assets, shall be applied towards the satisfaction of the Money Judgment entered against the Defendant.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Assets Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture as to Substitute

Assets and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Assets must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The notice referenced in the preceding paragraph shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Assets, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the Substitute Assets and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. The United States may also, to the extent practicable, provide direct written notice to any person, other than the Defendant, known to have an alleged interest in the Substitute Assets, as a substitute for published notice as to those persons so notified.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Assets, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Assets, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

Dated: New York, New York  
August 9, 2023

SO ORDERED:

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

HONORABLE JOHN P. CRONAN  
UNITED STATES DISTRICT JUDGE